

Amendments to the Drawings:

Please substitute the attached sheets (Figures 7, 8, 11, and 12) of drawings for the drawings originally filed with the application.

Figure 8 has been amended to add the reference number "1052."

Figure 12 had been amended to add the reference number "6."

Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

REMARKS

The Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. The Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the Application as amended is respectfully requested.

Claim Status

Claims 57-86 were pending in the Application. Claims 74-76, 81, 82, 85, and 86 stand rejected. Claims 57, 70, 74, 82, and 86 have been amended. Claims 57-86 are now pending in this Application.

Allowable Subject Matter

On page 5 of the Office Action, the Examiner stated that Claims 57-73, 77-80, and 84 were allowed.

On pages 5-6 of the Office Action, the Examiner provided the following "examiner's statement of reasons for allowance":

Regarding claim 57, while prior art discloses a workspace system comprising a utility access extension with a utility zone, and a utility beam coupled to the top section of an article of furniture, such as a wall or frame, prior art fails to further disclose the utility beam having a first end for translating movement along the top section of the article of furniture.

Regarding claim 70, while prior art discloses a floor supported system comprising an overhead utility beam coupled proximate one end of an article of furniture, such as a wall or frame, prior art fails to further disclose a utility delivery zone positioned vertically below the overhead utility beam.

While the Applicants agree that the allowable claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner.

Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

Drawings

On page 2 of the Office Action, the Examiner stated that the “objection to the Drawings as presented in the prior Office Action has been withdrawn; however, a new objection [under 37 C.F.R. § 1.83(a)] follows.” The Examiner stated that

The drawings must show every feature of the invention specified in the claims. Therefore, the “set of passages 1052” as described on page 12, paragraph 80, line 3 of the specification must be shown or the feature(s) canceled from the claim(s). Element “1052” has not been labeled in the Drawings. No new matter should be entered.

Figure 8 has been amended to add reference number 1052. The Applicants request withdrawal of the objection to the claims.

The Applicants request withdrawal of the objection to the Drawings.

Specification

On page 3 of the Office Action, the Examiner objected to the disclosure “because of informalities.”

The Examiner stated that “[t]he specification states, ‘Referring to FIGURE 12, a work environment 2y is shown as a room including an information display system 6...’ (page 19, paragraph 94, lines 16-17). However, display system 6 is not shown in Figure 12.” Figure 12 has been amended to add reference number 6.

The Examiner stated that “[o]n page 28, paragraph 108, line 19, ‘8k’ should probably be -- 8g --, and ‘8j’ should probably be -- 8f --.” The Specification has been amended to replace “8k” with -- 8g -- and to replace “8j” with -- 8f --.

The Applicants request withdrawal of the objections to the Specification.

Amended Claims

Independent Claim 74 has been amended to incorporate the recitation of “an overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture” from allowed independent Claim 57. No new matter has been added.

Claim 82 has been amended to depend from allowed independent Claim 57 and to recite that “the top section of the article of furniture has a top and wherein the first end of the overhead utility beam is coupled for translating movement along the top of the top section.”

Claim 82, as amended, is patentable. See 35 U.S.C. § 112 ¶ 4. No new matter has been added.

Claim 86 has been amended to depend from allowed independent Claim 70 and to recite “the utility delivery zone positioned vertically below the overhead utility beam is positioned directly below an end of the overhead beam.” Claim 86, as amended, is patentable. See 35 U.S.C. § 112 ¶ 4. No new matter has been added.

Claim Rejections – 35 U.S.C. § 102

On pages 3-4 of the Office Action, the Examiner rejected Claims 74, 76, 81, 82, 86, and 86 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,534,963 titled “Posing Station” issued on July 9, 1996 to Adolphi et al. (“Adolphi et al.”).

The Examiner stated that Adolphi et al. discloses

[A] wall supported system for use in a workspace to distribute utilities, the system comprises: a utility access extension (11, Figure 1) comprising a utility delivery zone (60, Figure 1); overhead utility

beams, longitudinal beams (20) and lateral beams (24), which are movably coupled to permit the workspace to adapt to various sizes (column 2, lines 59-67) and which supply utilities to the delivery zone (column 2, lines 57-59); a light fixture coupled to the utility beams (30, Figure 1); and utilities routed to the overhead utility beam at the top section of the article of furniture (connection of utility beams occur at the top of the end walls, as best seen in Figure 1).

Claim 74 is in independent form and has been amended to incorporate the recitation of “an overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture” from allowed independent Claim 57. Claim 74 recites a “wall supported system for use in a work space and configured to distribute utilities away from at least one article of furniture having a top section carrying the utilities into the work space” comprising, in combination with other elements, an “overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture.” Claims 76, 81, and 85 depend from independent Claim 74. Claim 82 has been amended to depend from allowed independent Claim 57. Claim 86 has been amended to depend from allowed Claim 70.

Adolphi et al. is titled “Posing Station” and shows a “portrait studio” 10 including a “frame 18” and “lighting 30” (see col. 2, lines 46-50). The “frame 18” includes a “pedestal unit 11, a background unit 12, a post unit 13 and a rail system 14” (see col. 2, lines 54-56). The “rail system 14 is made up of longitudinal beams 20 which desirably link the background 12 to the pedestal unit 11 and the post unit 13, and lateral beams 24 which link the longitudinal beams 20” (see col. 2, lines 61-65). The “beams can be made of telescopic members, the smaller members slidably residing within the larger ones, which allow the studio to adapt to the size of the area in which it will be located” (see col. 2, line 65 to col. 3, line 1).

Adolphi et al. does not identically disclose a “wall supported system” comprising, among other elements, an “overhead utility beam having a first end coupled for translating

movement along the top section of the article of furniture” as recited in independent Claim 74.

The rejection of Claim 74 over Adolphi et al. is not proper. Claim 74 is patentable over Adolphi et al.

Dependent Claims 76, 81, and 85, which depend from independent Claim 74, are also patentable. See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection of Claims 74, 76, 81, 82, 85, and 86 under 35 U.S.C. § 102(b)

Claim Rejections – 35 U.S.C. § 103(a)

On page 5 of the Office Action, the Examiner rejected Claim 75 as being obvious over Adolphi et al. (a single reference) under 35 U.S.C. § 103(a).

The Examiner concluded that

While Adolphi et al. discloses the utility beams coupled at the top section of the furniture and not positioned at an elevation above the furniture, it would have been a matter of obvious design choice for one of ordinary skill in the art at the time the invention was made to couple the utility beam above the furniture as opposed to at the top section of the furniture to provide more headroom within the workspace, as Adolphi et al. desires the workspace to be flexible to accommodate various poses of the subjects, including standing subjects (column 1, lines 40-43 and 56-60).

Claim 74 is in independent form and has been amended to incorporate the recitation of “an overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture” from allowed independent Claim 57. Claim 74 recites a “wall supported system” comprising, in combination with other elements, an “overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture.” Claim 75 depends from independent Claim 74 (as amended).

Adolphi et al. is titled “Posing Station” and shows “portrait studio” 10 including a “frame 18” and “lighting 30” (see col. 2, lines 46-50).

The “wall supported system” recited in independent Claim 74 (as amended) would not have been obvious in view of Adolphi et al., alone or in any proper combination, under 35 U.S.C. § 103(a). Adolphi et al., alone or in any proper combination, does not disclose, teach or suggest a “wall supported system” comprising, in combination with other elements, an “overhead utility beam having a first end coupled for translating movement along the top section of the article of furniture.” To transform the “posing station” of Adolphi et al. into a “wall supported system” (as recited in Claim 74) would require still further modification, and such modification is taught only by the Applicants’ own disclosure. The suggestion to make the modification of Adolphi et al. has been taken from the Applicants’ own specification (using hindsight), which is not proper.

The “wall supported system” recited in independent Claim 74, considered as a whole, would not have been obvious in view of Adolphi et al. The rejection of Claim 75 over Adolphi et al. under 35 U.S.C. § 103(a) is not proper. Therefore, Claims 74 and 75 are patentable over Adolphi et al.

Dependent Claim 75, which depends from independent Claim 74, is also patentable. See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection of Claim 75 under 35 U.S.C. § 103(a).

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection has been overcome, and the present Application is in a condition for allowance. The Applicants request reconsideration and allowance of pending Claims 57-86.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, The Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extension fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date

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By



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